REMARKS

Applicant appreciates allowance of claims 1-10 and 12-23. By this amendment, independent claim 11 has been amended. No new subject matter has been introduced. Accordingly, claims 1-23 are pending in the present application. In view of the amendments and remarks set forth below, the Applicant requests reconsideration of the present application by the Examiner.

In the Office Action mailed November 3, 2006, claim 11 was rejected for allegedly being unpatentable over U.S. Patent No. 6,963,918 B1, Leung (hereinafter Leung) in view of U.S. Patent Application Publication No. 2001/053694 to Iqarashi, et al (hereinafter Igarashi). Applicant respectfully traverses this rejection.

Applicant submits that claim 11 is _not_ rendered obvious in view of Leung and Igarashi, whether considered alone or in combination. To establish a _prima facie_ case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim features. Claim 11, among other things, calls for a method of transmitting a packet in a wireless network comprising determining a predetermined policy for a user and/or a session associated with the packet to selectively use default information for obtaining a transmission route of the packet to the service provider server.

The Examiner, on page 3 of the Office Action, admitted "Leung fails to teach determining a predetermined policy for at least one of a user and a session associated with the packet." The Examiner therefore alleges that Igarashi describes the use of a predetermined policy. In particular, the Examiner alleges that Igarashi in Figure 20 and paragraphs [0120-0122] on page 7 discloses a network system that provides each terminal user with differentiated service. The Examiner further alleges that since Igarashi determines a service profile for a user

and a session associated with the packet, Igarashi teaches or suggests use of a predetermined policy. In other words, the Examiner alleges that the service profile described by Igarashi is a predetermined policy, as set forth in claim 11. We respectfully disagree and note that Igarashi fails to cure the fundamental deficiencies of Leung.

Igarashi describes use of service profile caches (SPCs) for use-specific and common services. See Igarashi, page 6, paragraph [0109]. The service controller 103 employs a service file cache 103a storing collection of service profiles and a searching policy management table 103b describing the procedure of service profile searching. See Igarashi, page 6, paragraph [0117]. The packet controller 101 searches the service profile cache for an appropriate service profile that meets the header information. With this service profile, Igarashi edits the packet and determines where to route the packet. See Igarashi, page 7, paragraph [0122].

However, Igarashi is completely silent with regard to determining a predetermined policy to selectively use default information for obtaining a transmission route of the received packet to the service provider server, as set forth in claim 11. Instead, Igarashi describes a packet controller 101 that uses a packet filtering function to distinguish between packet types based on the header information of each packet. Igarashi then describes routing the packet based on the information in the packet header. See Igarashi, Figure 20, page 6, paragraph [0115]. Igarishi does not, however, describe routing the packet to a service provider server and, in particular, fails to describe or suggest using default information, such as a default IP address, to route the packet to a service provider server.

For at least the aforementioned reasons, Applicant respectfully submits that the cited references fail to teach or suggest all the limitations of the claimed invention. Furthermore, Applicant respectfully submits that the cited references fail to provide any suggestion or motivation for combining and/or modifying the prior art of record to arrive at the claimed

invention. Leung is concerned with providing voiceover Internet Protocol in a mobile IP environment. However, as acknowledged by the Examiner, Leung is not concerned with routing packets to service provider servers based upon predetermined policies. Accordingly, Leung provides no suggestion or motivation for the entirety of claim 11. Similarly, Igarashi is concerned with distinguishing between data packets and protocol packets. Igarashi is not, however, concerned with routing packets to service provider servers based upon predetermined policies and, in particular, <u>selectively using default information for obtaining a transmission route of the received packet to the service provider server</u>. Accordingly, Leung provides no suggestion or motivation for the entirety of claim 11.

Based on the aforementioned reasons and legal standard, Applicant respectfully submits that the Examiner has not established a *prima facie* case of obviousness for claim 11 over the cited references. Applicant requests that the Examiner's rejections of claim 11 under 35 U.S.C. §103(a) be withdrawn.

In view of these remarks, the application is now in condition for allowance and Examiner's prompt action in accordance therewith is respectfully requested. If for any reason Examiner finds the application other than in condition for allowance, Examiner is respectfully requested to call the undersigned at the Houston, Texas telephone number (713) 934-4052 to discuss the steps necessary for placing the application in condition for allowance.

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Respectfully submitted,
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